

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

WILLIAM COSME,
a/k/a "William Cosmo"

Defendant.

No. 13-CR-43 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

The Court is in receipt of Mr. Cosme's letter, dated July 4, 2022 [dkt. no. 490]. The Court considers this letter [dkt. no. 490] a motion to compel Taejeon Christian International School ("TCIS") "to immediately reimburse Mr. Cosme for attorneys' fees already paid out (\$1mm) in addition to advance payment of attorneys' fees moving forward of \$1mm plus interest" based on a loan agreement between Mr. Cosme and TCIS. (Id. at 3.)

First, Mr. Cosme claims that "facts within the record show that Mr. Cosme in fact did provide a loan to [TCIS]." (Id. at 2.) As support, Mr. Cosme cites one sentence from the judgment of Korea's Suwon District Court, Sixth Criminal Division, reversing the lower court to find the headmaster of TCIS not guilty of violating the Korean Private School Act. (See dkt. no. 304, Ex. B (noting that one ground for appeal was


that the headmaster received a loan from Cosmo Dabi); dkt. no. 490, Ex. 2.) However, the judgment provides no details regarding this loan.

Mr. Cosme also claims that the Private Funding and Security Agreement dated January 19, 2011 between his company, Cosmo Dabi International Trading Group Inc., and TCIS "irrevocably guaranteed Mr. Cosme entitlements to advance payments of any all legal and attorneys' fees, any all expenses, any all costs for enforcement of the agreement/contract [], interest and damages inter alia." (Dkt. no. 490 at 2; dkt. no. 490, Ex. 1.) The Court previously reviewed that Agreement discerning nothing "that demonstrates the existence of 'innocent property' or an agreement to arbitrate applicable to any of these proceedings." (Dkt. no. 472 at 1.) For the same reasons, the Court determines that the Agreement does not entitle Mr. Cosme either to reimbursement for attorneys' fees already paid out or to advance payment of attorneys' fees moving forward.

Accordingly, Mr. Cosme's motion to compel TCIS to reimburse him for attorneys' fees already paid out or to advance payment of attorneys' fees moving forward is denied (dkt. no. 490). The Clerk of the Court shall mail a copy of this order to Mr. Cosme.

SO ORDERED.

Dated: July 6, 2022
New York, New York


LORETTA A. PRESKA
Senior United States District Judge

